



NEIFELD DOCKET NO: PIP-75-WILL

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: Eric WILLIAMS

CONF. NO: 6446

GROUP ART UNIT: 3622

SERIAL NO: 09/826,814

FILED: April 6, 2001

EXAMINER: ALVAREZ

FOR: Method and System for Providing Promotions to a Customer Based on the Status of  
Previous Promotions

ASSISTANT COMMISSIONER FOR PATENTS

ALEXANDRIA, VA 22213-1450

37 CFR 41.41 REPLY BRIEF

Sir:

In response to the examiner's answer mailed May 18, 2006, the applicants respond as  
follows:

In response to the applicant's arguments in the appeal brief filed February 24, 2006, the examiner stated:

With respect to Appellant's arguments, the Examiner wants to point out that Appellant on page 10 of the brief states that "Barnett does not disclose determining a defined status value for status of said initial promotion corresponding to one of accepted, rejected and unknown, the Examiner wants to point out that Barnett wasn't the reference cited. Walker was the reference cited and of record.

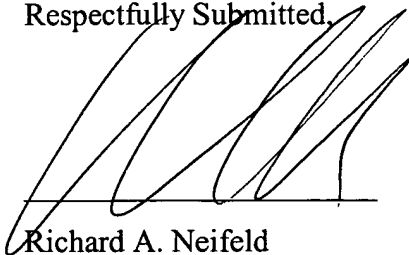
The Examiner wants to point out that Walker teaches indicating if the offer has been accepted, rejected (see figure 7, 308) and based on the user's acceptance or rejections of the offers, the system uses this information to further target other offer[s] or services (col. 14, lines 62 to col. 15, lines 1-11). [Reply brief mailed May 18, 2006 page 4 lines 15-23.]

In response, the applicant acknowledges his typographical error regarding Barnett and respectfully asks that the arguments on page 10 of the appeal brief filed February 24, 2005 refer to "Walker" and not "Barnett".

In response to the examiner's statement that "Walker teaches indicating if the offer has been accepted, rejected (see figure 7, 308) and based on the user's acceptance or rejections of the offers, the system uses this information to further target other offer[s] or services," the applicant asserts that column 14 line 62 to column 5 line 11 and figure 7, 308 in Walker discloses status values for the initial promotion corresponding to either "accepted" or "rejected". Walker does not disclose a status value for the initial promotion to "unknown". Therefore, Walker does not disclose "determining a defined status value for status of said initial promotion corresponding to one of (1) accepted, (2) rejected, and (3) unknown, wherein said determining comprises applying said status criteria to said transaction data", as recited in claim 1. As such, the rejections of claim 1 and all the claims that depend therefrom are improper and should be reversed.

6/2/06  
DATE

Respectfully Submitted,

  
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BTM

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